IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9121 OF 2003

Sou. Nirmala Shantilal Bhatewara ..Petitioner.

Vs.

Agrsen Urban Co-op. Bank Ltd. & Ors..Respondents.

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None for the Petitioner.

Mr.D.A.Patil, AGP for the State.

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CORAM : DR.D.Y.CHANDRACHUD, J.

21st October, 2005.

P.C. :

A Recovery certificate has been issued under Section 101 of the Maharashtra Co-operative Societies Act, 1960. This is subject to a revision under Section 154(2-A). In these circumstances, it would neither be appropriate nor proper for this Court to exercise the jurisdiction under Article 227 of the Constitution since the Petitioner has an alternate remedy in law. By an interim order dated

15th December, 2003, the Petitioner was directed to deposit 50% of the amount of Rs.3,34,954/- due and payable under the recovery certificate within four weeks. There is an office noting to the effect that an amount of Rs.1,67,500/- has been deposited. In the event that the amount as aforesaid has been deposited with the society as required by Section 154(2-A), it would be open to the Petitioner to file a revision application before the revisional authority. In the event that the revision application is filed within a period of six weeks from today, the revisional authority shall entertain and dispose of the revision application without reference to the bar of limitation. The Petition is accordingly disposed of.